

## CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS

### 22 TAC §283.4, §283.6

The Texas State Board of Pharmacy proposes amendments to §283.4, concerning Internship Requirements, and §283.6, concerning Preceptor Requirements and Ratio of Preceptors to Pharmacist-Interns. The amendments, if adopted, clarify the requirements for a change of name or change of address for pharmacist interns, clarify the charge for a duplicate or amended certificate for pharmacist interns and preceptors, eliminate the requirement that a preceptor have one year of experience in the type of internship practice setting and only require the preceptor to have a year of experience as a licensed pharmacist, and eliminate the ratio of preceptors to pharmacist-interns in Texas college or school of pharmacy programs.

Gay Dodson, R.Ph., Executive Director/Secretary, has determined that, for the first five-year period the rule is in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Dodson has determined that, for each year of the first five-year period the rule will be in effect, the public benefit anticipated as a result of enforcing the rule will be to clarify the notification requirements for interns with regard to a name change or address change and the charge for duplicate or amended certificates. There is no fiscal impact for individuals, small or large businesses or to other entities which are required to comply with this section.

Comments on the proposed amendments may be submitted to Allison Benz, R.Ph., M.S., Director of Professional Services, Texas State Board of Pharmacy, 333 Guadalupe Street, Suite 3-600, Austin, Texas 78701, FAX (512) 305-8082. Comments must be received by 5 p.m., May 1, 2009.

The amendments are proposed under §551.002 and §554.051 of the Texas Pharmacy Act (Chapters 551 - 566 and 568 - 569, Texas Occupations Code). The Board interprets §551.002 as authorizing the agency to protect the public through the effective control and regulation of the practice of pharmacy. The Board interprets §554.051(a) as authorizing the agency to adopt rules for the proper administration and enforcement of the Act.

The statutes affected by this rule: Texas Pharmacy Act, Chapters 551 - 566 and 568 - 569, Texas Occupations Code.

#### *§283.4. Internship Requirements.*

(a) - (b) (No change.)

(c) College-/School-Based Internship Programs.

(1) Internship experience acquired by student-interns.

(A) (No change.)

(B) The terms of the student internship shall be as follows.

(i) The student internship shall be gained concurrent with college attendance, which may include:

(I) partial semester breaks such as spring breaks;

(II) between semester breaks; and

(III) whole semester breaks provided the student-intern attended the college/school in the immediate preceding semester and is scheduled with the college/school to attend in the immediate subsequent semester.

(ii) The student internship shall be obtained in pharmacies licensed by the board, federal government pharmacies, or in a board-approved program.

(iii) The student internship shall be in the presence of and under the supervision of a healthcare professional preceptor or a pharmacist preceptor.

(C) (No change.)

(2) - (3) (No change.)

(d) - (e) (No change.)

(f) Change of address and/or name. ~~[Pharmacist-intern Notification Requirement. A pharmacist-intern shall notify the board in writing within 10 days of a change of address, giving the old and new address.]~~

(1) Change of address. A pharmacist-intern shall notify the board electronically or in writing within 10 days of a change of address, giving the old and new address.

(2) Change of name. A pharmacist-intern shall notify the board in writing within 10 days of a change of name by:

(A) sending a copy of the official document reflecting the name change (e.g., marriage certificate, divorce decree, etc.);

(B) returning the current pharmacist-intern certificate which reflects the previous name; and

(C) paying a fee of \$20.

(g) Duplicate or amended certificate. The fee for issuance of a duplicate or amended pharmacist-intern registration certificate shall be \$20.

*§283.6.Preceptor Requirements and Ratio of Preceptors to Pharmacist-Interns.*

(a) Preceptor requirements.

(1) - (2) (No change.)

(3) To be recognized as a pharmacist preceptor, a pharmacist must:

(A) have at least:

(i) one year of experience as a licensed pharmacist [~~in the type of internship practice setting~~];  
or

(ii) six months of residency training if the pharmacy resident is in a program accredited by the American Society of Health-System Pharmacists;

(B) - (C) (No change.)

(b) Ratio of preceptors to pharmacist-interns.

(1) (No change.)

(2) The following is applicable to Texas college/school of pharmacy internship program only.

(A) Supervision. Supervision of a pharmacist-intern shall be:

(i) direct supervision when the student-intern or intern-trainee is engaged in functions associated with the preparation and delivery of prescription or medication drug orders; and

(ii) general supervision when the student-intern or intern-trainee is engaged in functions not associated with the preparation and delivery of prescription or medication drug orders.

(B) Exceptions to the 1:1 ratio. There is no ratio requirement for preceptors supervising intern-trainees and student-interns as a part of a Texas college/school of pharmacy program.

~~[(i) There is no ratio requirement for preceptors supervising intern-trainees and student-interns as a part of a Texas college/school of pharmacy when the intern-trainees and student-interns are not engaging in dispensing activities, patient counseling, or any activities requiring independent judgement.]~~

~~[(ii) A preceptor for a Texas college/school of pharmacy internship program may supervise one intern-trainee and one student-intern except as described in clause (i) of this subparagraph.]~~

~~[(iii) Texas college/schools of pharmacy may request a different preceptor to pharmacist-intern ratio during the board's annual review and approval of their college/school based, structured internship program. Any such ratio shall apply only to the internship experience acquired as a part of the college/school based, structured internship program.]~~

~~[(iv) In an emergency caused by a natural or manmade disaster or any other exceptional situation that causes an extraordinary demand for preceptors, the executive director of the board, in his/her discretion, may allow a preceptor in a Texas college/school of pharmacy internship program to supervise up to two interns. The executive director shall notify the~~

~~Texas colleges/schools of pharmacy of the length of time a preceptor may supervise up to two interns.]~~

(c) (No change.)

(d) The fee for issuance of a duplicate or amended preceptor certificate shall be \$20.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Filed with the Office of the Secretary of State on March 16, 2009.

TRD-200901088

Gay Dodson, R.Ph.

Executive Director/Secretary

Texas State Board of Pharmacy

Earliest possible date of adoption: April 26, 2009

For further information, please call: (512) 305-8028